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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,320	11/04/2003	Makoto Umebayashi	4041J-000800	5303
27572	7590	05/12/2005	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			LU, JIPING	
			ART UNIT	PAPER NUMBER
			3749	

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/701,320

Applicant(s)

UMEBAYASHI ET AL.

Examiner

Jiping Lu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 and 17-21 is/are pending in the application.
- 4a) Of the above claim(s) 4-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7 and 17-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-7, 17-21 are pending. Claims 4-6 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species.

#### *Claim Rejections - 35 USC § 103*

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chipley (U. S. Pat. 2,329,102) in view of Saiki et al. (U. S. Pat. 4,693,173).

Chipley shows a ceiling air blowing device for a vehicle air conditioner comprising an air supply duct 12 and a ceiling wall 8 with a plurality of holes same as claimed. However, Chipley does not disclose the holes are disposed such that a total area of the openings of the holes per unit area at a first position that is proximate to the end of the duct is smaller than that at a second position that is farther from the end of the duct than the first position. Saiki et al. teach an air blowing device with the holes (not numbered, See Fig. 4, located at 106) are disposed such that a total area of the openings of the holes per unit area at a first position that is proximate to the end of the duct 108 is smaller than that at a second position that is farther from the end of the duct 108 than the first position for improving the air flow (Col. 4, lines 16-25) same as claimed. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the ceiling air blowing device of Chipley to dispose the holes such that a total area of the openings of the holes per unit area at a first position that is proximate to

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the end of the duct is smaller than that at a second position that is farther from the end of the duct than the first position as taught by Saiki et al. in order to improve the air flow.

4. Claims 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chipley (U. S. Pat. 2,329,102) in view of Saiki et al. (U. S. Pat. 4,693,173) as applied to claim 1 above, and further in view of Winn (U. S. Pat. 2,987,980).

The ceiling air blowing device of Chipley as modified by Saiki et al. as above includes all that is recited in claims 17-21 except for the supply duct comprises two side ducts for supplying air to the sides of the air passage. Winn teaches a ceiling air blowing device with two side ducts 9 for supplying air to the air passage 16 same as claimed. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the air supply duct with two side ducts 9 of Winn for the air supply duct 12 of Chipley in order to supply the air to the sides of the air passage and to improve the air flowing efficiency.

### ***Response to Arguments***

5. Applicant's arguments filed 3/10/2005 have been fully considered but they are not persuasive. Examiner does not agree with applicant's argument stated in last three lines on page 5 of the Remarks. Figures 4-5 of Saiki, et al. clearly show that the holes 106 located proximate to an outlet end (area a) of duct 108 are **smaller** than the hole 106 located farther from the outlet end ( area b & c) of duct 108 (also see col. 4, lines 16-68) which is opposite to the applicant's arguments in the Remarks.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

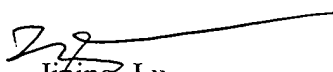
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus can be reached on 571 272-4877. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jiping Lu  
Primary Examiner  
Art Unit 3749

J. L.